

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Donald A. Schon, et al.

Confirmation No.: 9768

Application No.: 10/670,861

Group Art Unit: 3761

Filing Date: September 24, 2003

Examiner: Hand, Melanie Jo

For: Methods for Making a Multilumen Catheter Assembly

Filed Electronically June 26, 2007

DECLARATION UNDER 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Timothy M. Schweikert, submit the present Declaration under 37 C.F.R. § 1.132 to establish that United States Patent No. 5,947,953 to Ash, et al., is not prior art against the invention disclosed and claimed in the above-captioned patent application. To that end, I hereby declares as follows:

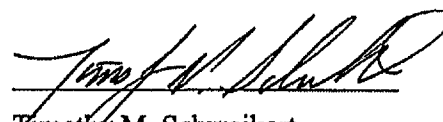
1. I am a citizen of the United States and reside at 121 North Park Drive, Levittown, Pennsylvania, 19054;
2. I am one of the named inventors in the above-captioned patent application;
3. I am also one of the named inventors of U.S. Patent No. 5,947,953 to Ash, et al., cited by the Examiner in the above-captioned patent application as prior art under 35 U.S.C. § 102(e);

4. I solely invented the subject matter disclosed but not claimed in U.S. Patent No. 5,947,953 to Ash, et al., that was relied upon by the Examiner in the above-captioned patent application to support her claim rejections under 35 U.S.C. § 102(e); one example being my sole conception of making a multilumen catheter by splitting a unitary catheter longitudinally along a distal end portion to form two independent lumens (i.e., two distal end tubes) extending from the unitary catheter, where splitting the unitary catheter includes cutting an internal septum of the unitary catheter.

I declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and that all statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and may jeopardize the validity of the application or any patent issuing therefrom.

Respectfully submitted,

Date: 04/25/07


Timothy M. Schweikert